

## § 3506.11

### APPLYING FOR AND OBTAINING EXPLORATION LICENSES

#### **§ 3506.11 What must I do to obtain an exploration license?**

(a) To apply, submit an exploration plan as described at § 3505.45 of this part, along with your request for an exploration license. No specific form is required. When BLM approves the exploration plan, we will attach the approved plan to, and make it a part of, the license. You must also publish a BLM-approved notice of exploration, inviting others to participate in exploration under the license on a pro-rata cost-sharing basis.

(b) Except as otherwise provided in this subpart, BLM will process your exploration license application in accordance with the regulations at part 2920 of this chapter.

#### **§ 3506.12 Who prepares and publishes the notice of exploration?**

BLM will prepare a notice of exploration using your information and post the notice and your exploration plan in the BLM office for 30 days. You must publish the notice of exploration once a week for three consecutive weeks in at least one newspaper of general circulation in the area in which the lands are located.

#### **§ 3506.13 What information must I provide to BLM to include in the notice of exploration?**

You must include:

- (a) Your name and address;
- (b) A description of the lands;
- (c) The address of the BLM office where your exploration plan will be available for inspection; and
- (d) An invitation to the public to participate in the exploration under the license.

#### **§ 3506.14 May others participate in the exploration program?**

(a) If any person wants to participate in the exploration program, you and BLM must receive written notice from that person within 30 days after the later of the final newspaper publication or the end of the BLM 30-day posting period.

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(b) A person who wants to participate in the exploration program must state in their notice:

- (1) They are willing to share in the cost of the exploration on a pro-rata basis; and
- (2) Any modifications to the exploration program that BLM should consider.

[64 FR 53536, Oct. 1, 1999; 65 FR 11476, Mar. 3, 2000]

#### **§ 3506.15 What will BLM do in response to my exploration license application?**

(a) BLM will determine whether to issue the exploration license. If we decide to issue the license, we will name the participants and the acreage covered. We also will establish hole spacing requirements and include any stipulations needed to protect the environment.

(b) If there are inconsistencies between proposed exploration plans, the approved license will resolve them.

### TERMS; MODIFICATIONS

#### **§ 3506.20 After my license is issued, may I modify my license or exploration plan?**

BLM may approve modifications of your exploration plan upon your request. We may also permit you to remove lands from your exploration license at any time. However, once we issue your exploration license, you may not add lands to the area of your exploration license.

#### **§ 3506.25 Once I have a license, what are my responsibilities?**

You must share with BLM all data you obtain during exploration. We will consider the data confidential and will not make the data public until either:

- (a) The areas involved are leased; or
- (b) BLM determines that it must release the data in response to a FOIA request.

### **Subpart 3507—Preference Right Lease Applications**

#### **§ 3507.11 What must I do to obtain a preference right lease?**

To obtain a preference right lease, you must have a prospecting permit for

the area you want to lease and meet the following conditions and any other conditions established in this subpart:

(a) *All leasable minerals except asphalt.* You must demonstrate that you have discovered a valuable deposit within the period covered by your prospecting permit. However, paragraphs (b) and (d) of this section provide some limitations.

(b) *Sodium, potassium, and sulphur.* In addition to the requirements of paragraph (a) of this section, BLM must determine that the lands are chiefly valuable for the subject minerals.

(c) *Asphalt.* You may not obtain a preference right lease for asphalt. However, you may obtain a competitive lease or a fringe acreage lease under subpart 3508 or 3510 of this part.

(d) *Permits issued under the authority of Reorganization Plan No. 3 of 1946.* Prospecting permits for minerals BLM administers under the authority of Reorganization Plan No. 3 of 1946 do not entitle you to a preference right lease. We may grant you a noncompetitive lease if you discover a valuable deposit during the permit term.

#### **§ 3507.15 How do I apply for a preference right lease?**

No specific form is required. Submit three copies of your application within 60 days after the date your prospecting permit expires or the date BLM denies your request for a permit extension filed under § 3505.64 of this part, whichever is later.

#### **§ 3507.16 Is there a fee or payment required with my application?**

Yes. You must submit the first year's rental with your application according to the provisions in § 3504.15 of this part. BLM will also charge a processing fee on a case-by-case basis as described in § 3000.11 of this chapter.

[70 FR 58877, Oct. 7, 2005]

#### **§ 3507.17 What information must my preference right lease application include?**

Your application must contain:

- (a) A statement of your qualifications and holdings as specified in subpart 3503 of this chapter;
- (b) Three maps showing:
  - (1) Utility systems;

- (2) The location of any proposed development or mining operations and incidental facilities;

- (3) The approximate locations and the extent of the areas you will use for pits, overburden and tailings; and

- (4) The location of water sources or other resources which you may use in the proposed operations or incidental facilities;

- (c) A narrative statement addressing:

- (1) The anticipated scope, method and schedule of development operations, including the type of equipment you will use;

- (2) The method of mining anticipated, including the best available estimate of the mining sequence and production rate; and

- (3) The relationship, if any, between the planned mining operations and existing or planned mining operations and facilities on adjacent Federal or non-Federal lands;

- (d) Financial information which will enable us to determine if you have found a valuable deposit. Include at least an estimate of projected mining and processing costs, saleable products and markets, and projected selling prices;

- (e) A complete and accurate description of the lands as found in your prospecting permit, if your application is for less than the lands covered by your prospecting permit; and

- (f) Other data, as we may require.

#### **§ 3507.18 What do I need to submit to show that I have found a valuable deposit?**

To show you have found a valuable deposit, send us the information listed in § 3593.1 of this part. You must have collected the data during the term of the prospecting permit, but you may refer to prior geologic work. BLM may request supplemental data from you to determine the following:

- (a) The extent and character of the deposit;

- (b) The anticipated mining and processing methods and costs;

- (c) Anticipated location, kind and extent of necessary surface disturbance;

- (d) The measures you will take to reclaim that disturbance;

- (e) An estimate of the profitability of mineral development; and